

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of MONTRAIL EDWARD WHITE,
Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

LAKEISHA WHITE,

Respondent-Appellant,

and

TARRIS YOUNG,

Respondent.

UNPUBLISHED

May 19, 2005

No. 258863

Wayne Circuit Court

Family Division

LC No. 95-326929-NA

Before: Bandstra, P.J., and Fitzgerald and Meter, JJ.

MEMORANDUM.

Respondent appeals as of right from the trial court order terminating her parental rights to the minor child pursuant to MCL 712A.19b(3)(g), (i) and (j). This appeal is being decided without oral argument pursuant to MCR 7.214(E). We affirm.

The trial court did not clearly err in finding that at least one statutory ground for termination had been proved by clear and convincing evidence. *In re IEM*, 233 Mich App 438, 450; 592 NW2d 751 (1999). Respondent had previously abandoned another child and failed to participate in services to facilitate reunification, resulting in the termination of her parental rights. In addition, respondent had harmed the baby in utero due to her substance abuse and repeatedly failed to enter or participate in treatment programs. Further, the trial court's finding regarding the child's best interests was not clearly erroneous. *In re Trejo Minors*, 462 Mich 341, 354, 356-357; 612 NW2d 407 (2000); MCL 712A.19b(5). Therefore, the trial court did not clearly err in terminating respondent's parental rights. *Trejo, supra* at 356-357.

Respondent's claim that she was not properly advised of her appellate rights has not been preserved for appeal because she did not include it in her statement of questions presented. *Liggett Restaurant Group, Inc v City of Pontiac*, 260 Mich App 127, 139; 676 NW2d 633

(2003). We note, however, that a written advice of rights form signed by respondent is in the lower court file, and her claim of appeal was accepted for review.

We affirm.

/s/ Richard A. Bandstra
/s/ E. Thomas Fitzgerald
/s/ Patrick M. Meter